

**MINUTES  
CITY OF CANANDAIGUA  
PLANNING COMMISSION**

**November 12, 2019**

PRESENT:     Chairman Torsten Rhode                      Commissioner Guy Turchetti  
                 Vice Chairman Stanley Taylor                Commissioner Anne Beyer (arrived at 7:05)  
                 Commissioner Jeff Ayers                      Commissioner Adrienne Kantz  
                 Commissioner Lindsay Henehan

ALSO PRESENT: Richard E. Brown, Director of Development & Planning

**CALL TO ORDER**

Chairman Rhode called to order the Regular Meeting of the City Planning Commission at 7:00 P.M.

**APPROVAL OF MINUTES:**

Chairman Rhode asked if anyone had any additions or corrections to the October 8, 2019 Meeting Minutes or the October 24, 2019 Special Meeting Minutes. Vice Chairman Taylor moved to approve the minutes as submitted. Commissioner Turchetti seconded the motion, which carried by unanimous voice vote (6-0).

**REVIEW OF APPLICATIONS**

**ITEM 1**     **Application #19-202: 26 Coach Street, RONALD REASON, for a Special Use Permit, to operate an eating and drinking establishment within the existing structure. (Tabled on October 8, 2019.)**

Ronald Reason represented the application. The commission has requested that he return with the following information:

1. Site plan to include the turning radius for a garbage truck to access the dumpster.
2. Details of the proposed outdoor lighting, verifying dark sky compliance.
3. Paint chips for the proposed color scheme.
4. Details proposed for the front steps, hand rail and planter boxes.
5. A definitive plan for repairing the sag in the roof.

Vice Chairman Taylor asked if a more formal site plan was available. Mr. Reason answered no, he had no additional documents to submit. Mr. Reason explained that he is proposing to remove the dumpster and switching to totes, so that they can be accessed by hand. The screening will be a 6 foot high PVC fence with a swinging hinged door.

The new outdoor lighting Mr. Reason is proposing is a goose-neck design, with a downward-projecting light. He confirmed that there would be a total of nine lights; three on the west side, four on the east, and two on the front. Chairman Rhode feels that these lights should be limited to hours of operation only. Vice Chair Taylor was concerned about no lighting in the back, near the door to the totes. Mr. Reason explained that this area is lit up by a street light.

Mr. Reason submitted paint chips for the proposed color scheme. Commissioner Ayers is concerned that the colors are too similar to each other. Mr. Reason stated that he has painted a home with these colors previously and liked the results.

The front steps will be repaired using a concrete bonding adhesive” and Sakrete. A second, matching hand rail will be added.

Chairman Rhode asked about the color and design of the planter boxes. Commissioner Ayers questioned the height of the boxes. Mr. Reason described the boxes as constructed of a dark gray Azek synthetic, in a vertical, tongue and groove style. They will extend to the top of the band board.

Mr. Reason provided an engineer-stamped drawing showing a definitive plan for repairing the sag in the roof. The drawing indicates that the roof can be repaired with gussets and turnbuckle cables, however, Frank Magnera, the City Fire Chief, has stated that the sag is quite extensive. He would not accept the cables, but would accept solid 2x6's instead. Mr. Reason said he is now planning to replace the roof, including new trusses and decking.

At the last meeting, commission had asked for comments from the Police Chief and Chief Hedworth provided a response in an email. He explained that the former Farmers' Inn was known for habitual problems such as disorderly behavior, disturbances and illegal drug use/sales on the property. Chief Hedworth suggesting asking how Mr. Reason plans to prevent the same activity and atmosphere from taking place in the new establishment at that same location. Vice Chairman Taylor asked Mr. Reason to respond to this. Mr. Reason said that he is a new owner of the establishment. He is not going to allow the illegal activity. He is not going to spend money and have someone mess it up. He is also not planning to have kids working there.

Commissioner Ayers believes that law enforcement and liquor licensing will respond should there be any issues with illegal activities. Commissioner Henehan agrees.

Vice Chairman Taylor asked for confirmation on the hours of operation. Mr. Reason proposes the hours to be Monday-Friday: 11:00 a.m.-1:00 a.m.; Saturday: 11:00-2:00 a.m.; and Sunday 11:00 a.m.-midnight.

Chairman Rhode asked if there were any additional comments or questions. Hearing none, he called for a motion.

Commissioner Ayers moved that the Planning Commission Approve the application as submitted and presented with the following condition:

1. The outdoor lighting will be limited to hours of operation only.

Commissioner Turchetti seconded the motion, which carried with a unanimous vote (6-1).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Kantz	Voting	YES
Commissioner Henehan	Voting	YES
Commissioner Turchetti	Voting	YES
Vice Chairman Taylor	Voting	NO
Chairman Rhode	Voting	YES

**ITEM 2**      **Application #19-311: 170 South Main Street, PATRICK GLEASON, for a Historic Alteration to modify approved façade renovation from April 9, 2019. (Tabled on October 8, 2019.)**

Patrick Gleason represented the application. He would like to divide the height of the parapet on the rooftop deck with just two courses of stone and then top it with a black metal hand rail. This would allow rooftop diners a better view of the street.

Commissioner Ayers feels the metal railing dramatically changes the aesthetics of the building.

Commissioner Turchetti believes the metal railing is a better alternative than the originally proposed block wall. Commissioners Kantz and Beyer agree.

Chairman Rhode feels the hand rail will have a minimal impact and since it is not as permanent, it could easily be removed later, if desired.

Vice Chairman Taylor is of the opinion that the black metal railing would change the character and look of not only this historic building, but all of Main Street. He feels it is a very slippery slope and guidelines are needed for rooftop dining projects such as this.

Chairman Rhode asked if there were any additional comments or questions relating to the black, metal hand rail on the second story. Hearing none, he called for a motion.

Commissioner Beyer moved that the Planning Commission Approve the application as submitted and presented. Commissioner Kantz seconded the motion, which carried with a vote (5-2).

Commissioner Ayers	Voting	NO
Commissioner Beyer	Voting	YES
Commissioner Kantz	Voting	YES
Commissioner Henehan	Voting	YES
Commissioner Turchetti	Voting	YES
Vice Chairman Taylor	Voting	NO
Chairman Rhode	Voting	YES

Mr. Gleason is also proposing to install a wooden fence along the back, west side of the rooftop to block the air conditioning unit and the view of the rooftop diners from the street. In addition, he is proposing a projecting sign and window graphics.

Commissioner Henehan confirmed that the metal railing would be installed on the east and south sides, and the fence would provide coverage on back side.

Commissioner Kantz verified that the window signs would comprise no more than 25%.

Chairman Rhode asked if there were any additional comments or questions. Hearing none, he called for a motion.

Commissioner Beyer moved that the Planning Commission Approve the application as submitted and presented. Commissioner Kantz seconded the motion, which carried with a unanimous vote (7-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Kantz	Voting	YES
Commissioner Henehan	Voting	YES
Commissioner Turchetti	Voting	YES
Vice Chairman Taylor	Voting	YES
Chairman Rhode	Voting	YES

**ITEM 3      Application #19-318A: 115 Howell Street, JADON HOFFMAN, for a Historic Alteration to modify window openings on rear porch. (Seeking amendment to approval granted on October 8, 2019.)**

Jadon Hoffman represented the application. At the last meeting there was concern about having a porch that would not be accessed from the interior of the home. To resolve this, the commission approved the removal of the rear door with the condition that the adjacent vestibule be removed to allow access to the porch. Mr. Hoffman has now returned with the proposal to attach the side and rear porch and would like to keep the adjacent vestibule to avoid losing storage.

Chairman Rhode confirmed that the materials and colors proposed for the new porch would match the existing porch. Commissioner Ayers asked if the details of the columns would also be replicated. Mr. Hoffman explained that all architectural details, colors and materials would match the existing porch.

Chairman Rhode asked if there were any additional comments or questions. Hearing none, he called for a motion.

Vice Chair Taylor moved that the Planning Commission Approve the application as submitted and presented with the following conditions:

1. All materials, colors and architectural details of the new porch will match the existing porch.
2. A Certificate of Occupancy/Compliance will not be issued for the work on the property until the porch is completed as approved.

Commissioner Ayers seconded the motion, which carried with a unanimous vote (7-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Kantz	Voting	YES
Commissioner Henehan	Voting	YES
Commissioner Turchetti	Voting	YES
Vice Chairman Taylor	Voting	YES
Chairman Rhode	Voting	YES

**ITEM 4      Application #19-324: 248 South Main Street, SALON No. 27, for a Historic Alteration to install a 26 SF wall sign, a window sign, and display a portable sign.**

Julissa Gelder represented the application. The new wall sign she is proposing would be in the same location as the previous “Go Fetch” sign. However, she is proposing to reduce the size to 2’ x 8’ in order to fit between the green trim on the façade. The portable, A-frame sign is to be wooden.

Commissioner Ayers confirmed that the portable A-frame sign would be displayed on private property. Also, the sign will only be displayed during hours of operation.

Chairman Rhode asked if there were any additional comments or questions. Hearing none, he called for a motion.

Commissioner Henehan moved that the Planning Commission Approve the application as submitted and presented.

Commissioner Kantz seconded the motion, which carried with a unanimous vote (7-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Kantz	Voting	YES
Commissioner Henehan	Voting	YES
Commissioner Turchetti	Voting	YES
Vice Chairman Taylor	Voting	YES
Chairman Rhode	Voting	YES

**ITEM 5      Application #19-205A: 20 Pleasant Street, SQUARE KNOT BREWING, Architectural Review to replace the existing wall sign. (Modify approval granted on July 9, 2019)**

The applicant, Paul Newhook, was not present. He was before the Planning Commission in July, and specifically stated that he would not be using the sign cabinet on the Pleasant Street side of the building. His application for modification indicates he decided use the sign because removing it would show damage to the wall.

Chairman Rhode asked if there were any additional comments or questions. Hearing none, he called for a motion.

Vice Chair Taylor moved that the Planning Commission Approve the application as submitted.

Commissioner Henehan seconded the motion, which carried with a unanimous vote (7-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Kantz	Voting	YES
Commissioner Henehan	Voting	YES
Commissioner Turchetti	Voting	YES
Vice Chairman Taylor	Voting	YES
Chairman Rhode	Voting	YES

**ITEM 6      Application #16-017E: 205 Lakeshore Drive, CANANDAIGUA FINGER LAKES RESORT, Architectural Review amendment to exterior finishes approved on March 7, 2013. (Tabled on October 8, 2019.)**

Adam Kennedy represented the application. With him, was Bob Murphy from the project ownership.

There were three areas that were left open. The first was the entryway. This vertical area of the façade was to incorporate some of the features of the “turret” structure on the rear of the hotel. The second area was the elevator shaft. Originally this was to be entirely sided in the sand-colored “Drivit” stucco. Since the board felt that made this element too visually prominent, they are now proposing the siding material in this area to be divided, with the end wrapped in the dark grey board-and-batten and the lighter stucco used around the windows. Finally, they have amended the proposal for stucco around the wood feature. This area of the façade will include more board-and batten and less stucco.

Commissioner Henehan feels the sides of the front entryway would look better in stone. She also feels that Elevation D of the Parking Garage would be more aesthetically pleasing if the darker, fiber-cement siding extended over one additional window to the left.

Chairman Rhode asked if there were any additional comments or questions. Hearing none, he called for a motion.

Commissioner Henehan moved that the Planning Commission Approve the application as submitted and presented with the following condition:

1. The sides of the front entryway will be in stone.
2. Elevation D of the Parking Garage will have the darker, fiber-cement siding extended over one additional window to the left.

Vice Chair Taylor seconded the motion, which carried with a unanimous vote (7-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Kantz	Voting	YES
Commissioner Henehan	Voting	YES
Commissioner Turchetti	Voting	YES
Vice Chairman Taylor	Voting	YES
Chairman Rhode	Voting	YES

**ITEM 7      Application #16-017F: 205 Lakeshore Drive, CANANDAIGUA FINGER LAKES RESORT Amendment to Final Site Plan approved on August 14, 2018.**

Doug McCord represented the application. With him, was Bob Murphy from the project ownership.

There is to be an 11-foot wide asphalt walkway along the western edge of the hotel. This would lead to the footpath through to Kershaw Park. However, this area is also required to have a 26-foot wide fire access lane. To provide this additional width, the original plan called for the grassy area to be re-enforced with a “geo grid”. This is a plastic grid work that is filled with soil and planted with grass.

They are now proposing that this area be a 26-foot wide, asphalt roadway capable of supporting a fire truck. Mr. McCord stated that in the geo grid system, the grass doesn’t hold up well and has a tendency to turn brown. They have spoken with the Department of Public Works and the Fire Department; both support this amendment.

Commissioner Henehan asked if they had considered any other option for material that might be more aesthetically suitable. Mr. Murphy mentioned concrete, but feels the asphalt blends better. They had considered stamped concrete, but decided against it because it collects water and becomes slippery. Chairman Rhode would like to see alternatives that are compliant with the requirements of the Fire Department, such as cobblestone, pavers or asphalt in an alternate color. Mr. Murphy said painted asphalt would require maintenance every 3–5 years. That would then become the responsibility of the City’s Department of Public Works to maintain.

Chairman Rhode asked if there were any additional comments or questions. Hearing none, he called for a motion.

Commissioner Ayers moved that the Planning Commission Table the application to allow the applicant to return with alternative material options for the walkway.

Commissioner Turchetti seconded the motion, which carried with a unanimous vote (7-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Kantz	Voting	YES
Commissioner Henahan	Voting	YES
Commissioner Turchetti	Voting	YES
Vice Chairman Taylor	Voting	YES
Chairman Rhode	Voting	YES

**ITEM 8 (Public Hearing) Application #19-344: 44 Bristol Street, PEACEMAKER BREWING COMPANY, Minor Subdivision, to divide a 0.19-acre parcel from 44 Bristol Street to be combined with 39 Coach Street.**

Todd Reardon represented the application. Peacemaker is purchasing the lawn area out to the corner of Beeman Street to incorporate into their business.

Chairman Rhode opened the Public Hearing. Seeing no one, the Public Hearing was closed.

Commissioner Rhode reminded everyone that by code, subdivision is a two-step process. In order to issue Final Approval at this meeting, a motion is required “waiving Preliminary Approval.”

Commissioner Ayers moved that the Planning Commission Approve the application as submitted and presented, with the following condition:

1. Preliminary approval is waived

Commissioner Henahan seconded the motion, which carried with a unanimous vote (7-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Kantz	Voting	YES
Commissioner Henahan	Voting	YES
Commissioner Turchetti	Voting	YES
Vice Chairman Taylor	Voting	YES
Chairman Rhode	Voting	YES



**ITEM 9**      **(Public Hearing) Application #19-115B: 39 Coach Street, PEACEMAKER BREWING COMPANY, amendment to Special Use Permit, Site Plan Review, and Architectural Review to construct a 9' x 16' addition, install a 12 x 20 shed, and offer outdoor activities associated with the approved use.**

Todd Reardon represented the application. In finalizing their plans, he has identified the need for some additional space. A 9'x16' bump-out addition, on the rear of the building under the second story porch, would provide a walk-in cooler. The siding would match the existing.

A 12' x 20 shed would be located in the southeast corner of the property. The yard is to be enclosed by a 3-foot high, white, vinyl fence and a matching, 6-foot high fence behind the existing building.

Chairman Rhode opened the public hearing.

Grant Kennedy of Bristol Street was present. He is concerned about the noise becoming an issue with the proposed outdoor activities.

Patricia Beeman of 45 Bristol Street was also present. She is opposed to adding outdoor activities and music to an already noisy area. She feels that with so many rental properties in that area, the owners are not coming forward to complain because they do not reside there themselves, and are therefore not affected.

Bill Wright of 125 Washington Street spoke in support of the proposed outdoor use. He feels the existing noise ordinance will protect against any noise issue and the outdoor area, being seasonal, would not experience intensive use.

Chairman Rhode asked if there was anyone else who wished to speak. Seeing no one, the Public Hearing was closed.

Commissioner Beyer noted that the proposed location of the shed is nonconforming. Mr. Reardon agreed to move it 5 feet off his property line in order to comply with zoning.

Commissioner Henehan feels the vinyl fence would not be the appropriate in the historic district and would like to see alternative proposals. Commissioner Turchetti agrees.

Chairman Rhode asked if there were any additional comments or questions regarding the proposed addition, shed and fence. Hearing none, he called for a motion.

Vice Chair Taylor moved that the Planning Commission Approve the portion of the application related to the construction of a 9' x 16' addition and installation of a 12' x 20' shed as submitted and presented with the following conditions:

1. The siding on the walk-in-cooler addition will match the existing siding.
2. The shed will be gray or brown in color, made of a wood or composite material, with a metal roof and white trim. It shall be sited to conform to the required setbacks.
3. The applicant shall return for approval of the fence design.

Commissioner Henehan seconded the motion, which carried with a unanimous vote (7-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Kantz	Voting	YES
Commissioner Henehan	Voting	YES
Commissioner Turchetti	Voting	YES
Vice Chairman Taylor	Voting	YES
Chairman Rhode	Voting	YES

Mr. Reardon said the lawn area would be used to create a concrete patio with outdoor seating and a gas fire pit. He also intends to use this area for lawn games and would like to provide live music.

Vice Chairman Taylor asked about closing times. Mr. Reardon said he is proposing Sunday-Wednesday until 9:00 p.m.; Thursday until 10:00 p.m.; Friday and Saturday until 11:00 p.m. However, he would never have live music after 10:00 p.m.

Chairman Rhode asked if there were any additional comments or questions regarding the proposed outdoor activities. Hearing none, he called for a motion.

Commissioner Henehan moved that the Planning Commission Approve the portion of the application related to offering outdoor activities associated with the approved use as submitted and presented.

Commissioner Turchetti seconded the motion, which carried with a voice vote (6-1).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Kantz	Voting	YES
Commissioner Henehan	Voting	YES
Commissioner Turchetti	Voting	YES
Vice Chairman Taylor	Voting	NO
Chairman Rhode	Voting	YES

Mr. Reardon is also proposing to replace the existing wall sign. It would be the same size as the existing Coach Street sign.

Chairman Rhode asked if the existing gooseneck lighting would remain. Mr. Reardon confirmed that it would not be changed.

Chairman Rhode asked if there were any additional comments or questions. Hearing none, he called for a motion.

Commissioner Turchetti moved that the Planning Commission Approve the portion of the application relative to replacing the wall sign as submitted and presented.

Commissioner Ayers seconded the motion, which carried with a unanimous vote (7-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Kantz	Voting	YES
Commissioner Henehan	Voting	YES
Commissioner Turchetti	Voting	YES
Vice Chairman Taylor	Voting	YES
Chairman Rhode	Voting	YES

## **MISCELLANEOUS**

### **ITEM 1      Referral from the City Council: Ordinance 2019-007, regarding the expansion of the local historic district.**

In 2016, without our requesting it, the NYS Historic Preservation Office (SHPO) decided to amend the City of Canandaigua's historic district. Evidently the purpose was to fill in noticeable "holes" in the district. However, after receiving notice from the state of this intent, the City Council decided not to correspondingly amend our local districts. This set up an odd situation, where there are properties on the National Register of Historic Places that are not being protected by the local preservation law.

The Council discussed this again recently and they were divided in their objectives. They want to preserve these properties, but do not want to have an impact on the current property owners. As a result, the compromise ordinance is very unusual: the historic district map will be amended to reflect the state map, but the regulations will only go into effect for these properties after they are sold. Therefore, it was argued, the potential new owners will have the opportunity to choose to accept these regulations when they choose to buy a historically-designated property. However, on the down side, there is no current protection for these properties and it might be 20-30 years before all the properties turn over and the district protections fully take effect.

After some discussion, the Planning Commission decided to offer an adverse recommendation to the ordinance. The commission supports the expansion of the local preservation district to be consistent with that of the New York State Office of Parks, Recreation, and Historic Preservation, but is opposed to exempting the current property owners from the regulations of Article XI "Historic Zoning", that are enacted to protect these historic properties.

## **OTHER**

Vice Chairman Taylor spoke of the recent Comprehensive Planning Committee meeting. The committee will be recommending adding to new sections to the plan: "Eastern Boulevard" and the "Health-Related District".

**ADJOURNMENT**

Commissioner Ayers moved to adjourn the meeting at 10:20. Commissioner Turchetti seconded the motion which carried with a unanimous voice vote (7-0).

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Richard Brown  
Director of Development & Planning

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Torsten Rhode  
Planning Commission Chairman